

## Rhoades Contracting, Inc

### Fax Cover Sheet

To: Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice

From: Dewitt Rhoades  
Rhoades Contracting

Subject: Microsoft Settlement

2 pages

## From the Desk of Dewitt Rhoades

Renata Hesse  
Trial Attorney  
Antitrust Divisions  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530

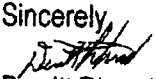
Dear Ms. Hesse,

I am writing today to urge Judge Kollar Kotelly to approve the settlement, which has been struck between the U.S. Department of Justice and Microsoft in their anti-trust case. I am pleased that the attorney general of my home state of North Carolina has signed the settlement agreement and will subject the taxpayers of our state to no further pain. I am hoping that the judge will do the same on the national level.

As a member of the board of trustees of Forsythia Technical Community College for 17 years, I am familiar with legal cases involving government entities and the private individuals or companies. From my experience, it is always best when litigation is settled and parties may get on with the business they do best whether it is government, private companies or educational institutions. Even though my experience with the federal government is limited to serving on the National Advisory of the Small Business Administration, I am convinced it is in the best interest of all concerned on the federal level when parties settled. That is because litigation in federal courts, particularly when the federal government is involved, tends to go on endlessly, sometimes for years. That is definitely in no one's best interest.

I know that in any settlement that both sides get a bit of what they want and some of what they do not want. That is why from what I have read that this settlement is fair both to Microsoft and to the U.S. Department of Justice as well as to the attorneys general who signed it. It is unfortunate that certain of Microsoft's competitors continue in the media to be critical of this settlement. Their purpose, I believe, is to gain through government fiat what they have not been able to achieve in the marketplace. Please do not be misled by such attempted misdirection.

Thank you for your kind consideration of my remarks.

Sincerely,  
  
Dewitt Rhoades

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